

**ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION FOR THE WILD
WASH SAND AND GRAVEL MINE
December 2, 2004**

I. PROJECT DESCRIPTION

This document is prepared as an addendum to the environmental review document titled *San Bernardino County Initial Study Environmental Checklist Form for the Wild Wash Sand and Gravel Mine* prepared in 2002. A Mitigated Negative Declaration (MND) was adopted for a Mining Conditional Use Permit and Reclamation Plan for a sand and gravel mine on 37 acres, and the Notice of Determination was filed with the Clerk of the County Board of Supervisors on February 7, 2003. This addendum has been prepared pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines which provides for the use of this form of environmental documentation when only minor technical changes or additions are necessary. A new Mining Conditional Use Permit and Reclamation Plan is required to authorize the expansion because it is greater than a 25 percent expansion of the original approval pursuant to Section 83.030105 of the County Development Code.

This addendum addresses a revision to the Mining Conditional Use Permit and Reclamation Plan proposing to increase the acreage of the mine quarry from 46 to 60 acres. The applicant, Yeager Skanska, has also requested an extended permit period of an additional 6 years. This document evaluates the differences, if any, in potential environmental impacts that may result from the addition of 14 acres to the existing mining and concrete/asphalt batch plant operations. This addendum and a new Mining Conditional Use Permit and Reclamation Plan will be considered for approval at public hearing before the San Bernardino County Planning Commission.

The CEQA Guidelines indicate that an addendum need not be circulated for public review but can be included in or attached to the adopted MND. This document has not been re-circulated due to the limited scope of the revision to the Mining Plan and based on the fact that the potential impacts being previously evaluated in the 2002 Initial Study Environmental Checklist.

The site lies at the base of the western extension of the Stoddard Mountains in the southeastern margin of Brisbane Valley within the Wild Wash drainage in San Bernardino County, California. The general location of the project site is approximately mid-way between the cities of Victorville and Barstow on the east side of the Interstate-15 Freeway. The specific site location is near the Wild Wash Road Freeway Interchange, which is about 14 miles north of Victorville and 16 miles south of Barstow. The sand and gravel mine is situated approximately one-half mile north of the interchange and approximately one-quarter mile east of the freeway.

The property is privately owned and leased to Yeager Skanska. The proposed operational change for the mine site will extend the quarry to the east, thereby increasing the quarry size by 14 acres, from 46 to 60 acres. This expansion would not

increase the production rate, or affect final reclamation. The proposal would move the quarry pit boundary about 500 feet to the east. The easterly expansion would increase the backwall elevation by 20 feet at the eastern edge. The expansion has been requested by the applicant due to an increase in unusable fine-grained material as the depth of the pit has been excavated. The operator needs to expand in a lateral direction in order to extract the desired coarse-grained aggregate.

No change is proposed in the daily mining operations. The mining operator would continue to comply with approved operational conditions.

II. PROJECT HISTORY

The project was originally approved with an Initial Study/Negative Declaration in 1997 for a 5-year life for the purpose of providing aggregate and asphalt for the reconstruction of Interstate 15 between Barstow and Victorville and other public work projects in the area. In 2002, a new Mining Conditional Use Permit and Reclamation Plan was approved that extended the permit life to 2018. Refer to the November 4, 2002 Initial Study/Negative Declaration (attached) for a portion of the project history. In June 2003, a revision was approved to add a concrete batch plant and extend mine use to local construction projects. In August 2004, a revision was approved that added 9 acres to the eastern portion of the quarry pit boundary. No other changes in the project history were identified as a result of this addendum.

III. ENVIRONMENTAL SETTING

Refer to the November 4, 2002 Initial Study/Negative Declaration. No changes to the environmental site conditions were identified as a result of this addendum.

IV. ENVIRONMENTAL EVALUATION

The 2002 Initial Study identified the following areas as potentially significant: Aesthetics, Air Quality, Biological Resources, Geology/Soils, Hazards/Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, and Noise. However these were all mitigated to a level of non-significance. The purpose of this addendum is to address any potentially significant impacts associated with the increase in acreage of the quarry. The current project proposes no new conditions for mitigation, however the proposed conditions of approval carries forward the existing conditions of approval, with deletions or amendments where appropriate to reflect already completed conditions or the need to provide updated information, etc.

Aesthetics

The operator has established a long-term sand and gravel quarry at this location adjacent to and in full view of a Scenic Highway. This portion of Interstate-15 is a state Scenic Highway and has a Scenic Route designation in the County General Plan Open Space Element. Looking east from the highway are unobstructed views that provide scenic

vistas of roughed desert mountains and open bajadas. Views to the west provide vast vistas of the Brisbane Valley. The project site is bordered on the north and east by Public Domain land administered by the Bureau of Land Management (BLM). The BLM has designated the area as the Stoddard Valley Off Highway Vehicle Area.

Reclamation of the site to natural open space would normally be necessary to ultimately insure that the potential for long-term impacts would be reduced to below a level of significance. Effective reclamation under the proposed project would not occur for many years into the future, with the quarry will being open and exposed to view from the Scenic Highway for essentially the full operational life. The primary mitigation approved in 1997 was one of reducing the life of the mining approval to one commensurate with the volume remaining to be mined and the need for materials in this location to support highway construction needs. The permit text proposes Interim Management Plan (IMP) measures which limit the airborne dust and require the removal of plant equipment and stockpiles during inactive periods between contracts. Staff proposes that the request to extend the permit by 6 years be denied. Impacts to the Scenic Corridor remain; however, implementing IMP measures, limiting the permit length and initiating reclamation sooner make the impacts less than significant.

Biological Resources

In 1997, in order to avoid direct take of the federal and state listed desert tortoise, mitigation was added to move the northerly boundary south by 200 feet and move the easterly boundary approximately 300-400 feet west. Staff felt that this would reduce the impact to this species to less than significant. The Fish and Wildlife Service required a Section 10a permit. All required permits were subsequently obtained. However, the operator is currently out of compliance with regards to their Incidental Take Permit. The operator has initiated an effort to regain compliance with the Fish and Wildlife Service. Prior to this action going before the Planning Commission, the operator must submit proof that their Incidental Take Permit has been modified to incorporate the latest 9-acre expansion approved in August 2004. The exclusionary desert tortoise fencing has been maintained in good working order and is inspected on a regular basis, including a perimeter review during the annual inspection. For this current expansion a desert tortoise survey was conducted in March 2004. Two disarticulated shells were found outside of the expansion area. No burrows, scat or other evidence of desert tortoise was found within the expansion area. Previous biological surveys have been conducted and the biological effects to the desert tortoise evaluated in the November 2002 Initial Study Environmental Checklist. Below are mitigation measures that are a part of Yeager Skanska's currently approved Mining Conditional Use Permit, which will also be included in this new Mining Conditional Use Permit if approved. Number 43 has been modified to require the operator to submit verification that their United States Fish and Wildlife Service 10a permit has been amended to include the increase in project acreage.

- **41.** Prior to any land disturbance in the expansion area, a clearance survey for the presence of desert tortoise shall be performed by a qualified wildlife biologist on the San Bernardino County, Land Use Services (LUSD) approved list. Should

tortoises be encountered, the animals shall be handled and relocated in a manner approved by the California Department of Fish and Game (CDFG) and the United States Fish and Wildlife Service (USFWS). The results of the survey and tortoise relocation, if any, shall be reported to the Advance Planning Division, LUSD, and the CDFG and USFWS.

- **42.** Prior to any land disturbance, the applicant shall install tortoise-proof fencing around the entire perimeter of the permitted area. This installation shall be monitored by a qualified wildlife biologist on the San Bernardino County, LUSD approved list. The fencing shall be regularly inspected and maintained.
- **43.** The applicant shall obtain modifications to the Incidental Take (10a) permit from the USFWS for the expanded 914 acres, or provide evidence to the Advance Planning Division that no modification of the permit is required.

No additional environmental impacts beyond those discussed in this document and the November 2002 Initial Study Environmental Checklist were identified.

V. CONCLUSION

In my opinion, these changes do not raise any new environmental issues or cause more severe environmental effects than those addressed in the original Initial Study; therefore, no further environmental review is required. Given the facts as stated above, these changes do not constitute substantial new information that would prompt the need to recirculate the Initial Study.

VI. REVIEW AUTHORITY

The San Bernardino County Development Code, Division 2, Chapter 1, Section 82.0105 (f)(3) states, "The Director of Planning shall be responsible for conducting Initial Studies and making determinations or recommendations as to whether a Negative Declaration or Notice of Exemption will be issued or whether an Environmental Impact Report (EIR) will be required."

VII. CERTIFICATION

Randy Scott, Division Chief
San Bernardino County Advance Planning Division